

## SS SCS SB 298 -- Liquor Sales

Sponsor: Griesheimer

This substitute makes technical changes to liquor sales laws.  
The substitute also:

(1) Requires an adult cabaret to obtain a license to possess intoxicating liquor on the premises. A license may not be issued if the cabaret permits a person less than 21 years of age to dance (Sections 311.050 and 311.050, RSMo);

(2) Removes the requirement that written consent must be obtained from a school or church before a license to sell liquor within 100 feet of the school or church will be granted but allows a municipal government to prohibit the license. This law does not apply to the holder of a license issued before January 1, 2004 (Section 311.080);

(3) Changes the time of opening from 11:00 a.m. to 9:00 a.m. for the sale of packaged liquor at retail and the sale of liquor on Sundays in restaurant bars, amusement places, and places of entertainment. The substitute also adds restaurant bars on the premise of any hotel having 50 rooms to the establishments that may sell on Sundays between 9:00 a.m. and midnight. The time of opening for restaurant bars located in a sports stadium in Jackson County is changed from 11:00 a.m. to 8:00 a.m. (Sections 311.097, 311.098, 311.102, and 311.293);

(4) Prohibits a licensed microbrewer from having more than 10 liquor licenses or having financial interest in any business that sells intoxicating liquor by the drink at retail for consumption on the premise. The substitute also exempts a microbrewer who is licensed to sell intoxicating liquor by the drink at retail from state law requiring all liquor purchases to be made from a licensed wholesaler when selling liquor that is produced on the premises. For all other liquor sold by the drink at retail for consumption on the premise, the microbrewer must comply with state law requiring purchase by a licensed wholesaler (Section 311.195);

(5) Allows persons licensed to sell malt liquor at retail by the drink to also sell 3.2% beer by the drink. The fee for the license is \$50. Any person licensed to sell malt liquor or 3.2% beer at retail may sell between the hours of 9:00 a.m. and midnight on Sundays (Section 311.200);

(6) Increases the license fee for a packaged retail license from \$15 to \$50 and increases the retail by the drink license fee from \$35 to \$50. Grocery stores and drug stores must also have \$5,000

of stock to qualify for a package license. The current stock limit was \$1,000 (Section 311.200);

(7) Prohibits retailers of alcohol from selling alcohol with an alcohol content of less than 5% in mutilated, torn, or cut cartons. Retailers may not repackage liquor in a manner misleading to the consumer or that results in required labeling being omitted or obscured (Section 311.280);

(8) Creates a rebuttable presumption that the contents of a manufacturer-sealed container that is labeled as containing alcohol or intoxicating beer does contain the listed contents. The presumption currently exists only for the sale of liquor to minors (Sections 311.325 and 312.407);

(9) Requires the purchaser of liquor to provide upon demand by a liquor retailer a valid and unexpired driver's license or passport when purchasing liquor. Under current law, an expired license or passport may be used to purchase liquor (Section 311.328);

(10) Repeals the section of law requiring the seller of malt liquor to label the malt liquor container with the name and location of the manufacturer (Section 311.360);

(11) Changes the name of the Division of Liquor Control to the Division of Alcohol and Tobacco Control (Section 311.615);

(12) Allows liquor control officers to enforce state laws related to tobacco products. Liquor control officers are also given the power to search and seize when enforcing liquor and tobacco laws (Section 311.630); and

(13) Prohibits a person less than 21 years of age from dancing in an adult cabaret or a proprietor of an adult cabaret from employing a person under 21 years of age. Persons violating this provision are guilty of a class A misdemeanor (Section 573.509).